**HIGH COURT OF UTTARANCHAL AT NAINITAL**

Writ Petition No.281 of 2006 (SS)

Kuldeep Pant s/o Sri Chakradhar pant
Village Revdi Talli, Patti Kathulsyun,
District Pauri Garhwal ..... Petitioner

Versus

1. State of Uttaranchal
2. District Basic Education Officer, Pauri
3. Block Education Officer, Khirsu, Pauri
4. Gram Shiksha Samiti, Gram Panchayat revdi, Block Khirsu, District Pauri Garhwal
5. Jai Ballabh, Pradhan, Gram Panchayat Revdi Patti Kathulsyun, Pauri Garhwal..... Respondents

Sri R.P. Nautiyal, Advocate for the petitioner
Standing counsel the respondents.

Dated: 4.3.2006

**Hon'ble Rajesh Tandon J.**

Heard Sri R.P. Nautiyal, counsel for the petitioner and the Standing counsel for the respondents. Both the parties have agreed that the case be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to issue appointment letter to the petitioner on the post of Shiksha Mitra in Primary School Revdi, Gram Panchayat Revdi, Block Khirsu, District Pauri Garhwal.

Briefly stated on 27.1.2001, State of Uttaranchal issued a Government order for appointment of Shiksha Mitra in several Primary schools through Gram Shiksha Samiti in village level. On 8.8.2005 the District Basic Shiksha Adhikari, Pauri Garhwal issued an advertisement, inviting the application for the appointment as Shiksha Mitra. The petitioner applied for appointment as 'Shiksha Mitra in Primary School Revdi, Gram Panchayat Revdi, District Pauri Garhwal. After scrutiny of applications, selection committee selected one Smt. Kaushlya Naithani for appointment as Shiksha Mitra. The petitioner was second in the merit list. Smt. Kaushalya could not file domicile certificate of Gaon Sabha Revdi within the prescribed period, therefore, her appointment was cancelled by the Block Education Officer.

The submission of the petitioner is that after cancellation of the appointment of Smt. Kaushlya Naithani, the petitioner is entitled to be appointed on the post of 'Shiksha Mitra' as he is placed at serial No. 2 in the select list.

In view of above, liberty is given to the petitioner to file a representation before the respondent no. 2wihtin two weeks after the receipt of certified copy of this order, who shall decide the same within two weeks thereafter.

Subject to the aforesaid observations, the writ petition is disposed of. No order as to costs.

Dated: 4.3.2006 **Rajesh Tandon, J.**
*Dhyani